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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,390	12/19/2001	Ronal Richard French	ROC920010275US1	4861

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EXAMINER

WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,390

Applicant(s)

FRENCH ET AL.

Examiner

Isaac M. Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11, 13-17 and 19-26 is/are rejected.
- 7) ☒ Claim(s) 2, 12 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

ETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 31, 2005 has been entered.

2. Claims 1-2, 4-5, 7, 9, 11-12, 14-15, 17-18, 20-21, 23 and 25 are amended.

3. The pending claims are 1-26.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 17-26 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

As set forth in MPEP 2106 (II) (A):

A. Identify and Understand Any Practical Application Asserted for the Invention

The claimed invention as a whole must accomplish a practical application. That is, it must produce a "useful, concrete and tangible result." *State Street*, 149 F.3d at 1373, 47 USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (*Brenner v. Manson*, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96); *In re Ziegler*, 992, F.2d 1197, 1200-03, 26 USPQ2d 1600,1603-06 (Fed. Cir. 1993)). Accordingly, a complete disclosure should contain some indication of the practical application for the claimed invention, i.e., why the applicant believes the claimed invention is useful.

Apart from the utility requirement of 35 U.S.C. 101, usefulness under the patent eligibility standard requires significant functionality to be present to satisfy the useful result aspect of the practical application requirement. See *Arrhythmia*, 958 F.2d at 1057, 22 USPQ2d at 1036. Merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make the invention eligible for patenting. For example, a claim directed to a word processing file stored on a disk may satisfy the utility requirement of 35 U.S.C. 101 since the information stored may have some "real world" value. However, the mere fact that the claim may satisfy the utility requirement of 35 U.S.C. 101 does not mean that a useful result is achieved under the practical application requirement. The claimed invention as a whole must produce a "useful, concrete and tangible" result to have a practical application.

Claims 17-26 are not limited to tangible embodiments, In view of Applicant's disclosure, specification page 4, line 2, page 5, lines 12-13 and page 6, line 1, the medium is not limited to tangible embodiments, (e.g., signal bearing medium, and signal bearing media). As such, the claim is not limited to statutory subject matter and is therefore non-statutory and should be rejected under § 101 as not being tangible.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 3-11, 13-17 and 19-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Fisher et al (U.S. Patent No. 6,085,191, hereinafter, "Fisher").

With respect to claim 1, Fisher discloses, receiving an access request (access request, fig. 1-3, fig. 5-6, col. 5, lines 24-32) for one or more user (104, initiator, fig. 1, col. 4, lines 55-67) requesting access to one or more databases (310, 320, fig. 10, col. 19, lines 17-30, 106, network objects, fig. 1, that contains management information, e.g., MIB, management information base, col. 1, lines 45-67), access request is create (120, access request, fig. 2, col. 5, lines 38-67 to col. 6, lines 1-24) and submitted by an administrator (104, initiator, fig. 1, fig. 10, col. 4, lines 55-67) and the access request

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comprises: users list containing information regarding each user requesting access (170, access control tree, fig. 4, col. 57-67 to col. 10, lines 1-29); applications list containing information regarding respective one or more databases for which access is requested by each respective user listed in the users list (170, access control tree, fig. 4, col. 57-67 to col. 10, lines 1-29, 310, 320, fig. 10, col. 19, lines 17-30, col. 19, lines 17-64) and access type list containing information regarding respective types of access requested for each user listed in the user list, see (1502, grated permission table, operation (access) type is specified for each user, col. 25, lines 48-67 to col. 26, lines 1-39); in response to the received access request, retrieving sever information for the one or more databases, see (system of check grant rule and deny rule, after access request, fig. 5, col. 11, lines 45-67 to col. 12, lines 1-30); utilizing information provided in the access request, adding each user to a respective user group for each respective database for which access is requested for the respective user, see (col. 10, lines 65-67 to col. 11, lines 1-32, col. 29, lines 43-67 to col. 30, lines 1-29); generating an access document (managed objects information, fig. 16C) for each user, the access document containing the sever information (managed objects information, fig. 16C) for use in connecting to the respective one or more databases; and transmitting the respective access document to each user, see (1678, fig. 16C, col. 29, lines 32-40).

With respect to claim 3, Fisher discloses, document contains the server information in viewable form for use in manually connecting to the one or more databases, see (col. 19, lines 30-64).

With respect to claim 4, Fisher discloses, determining a user group type for the respective database when adding the one or more users to the respective database, see (col. 10, lines 65-67 to col. 11, lines 1-32, col. 29, lines 43-67 to col. 30, lines 1-29).

With respect to claim 5, Fisher discloses, verifying administration authority of a database administrator who processed the access request, see (col. 10, lines 65-67 to col. 11, lines 1-32, col. 29, lines 43-67 to col. 30, lines 1-29).

With respect to claim 6, Fisher discloses, storing access requests and user access privileges, see (col. 5, lines 38-65).

With respect to claim 7, Fisher discloses, access request specifies a plurality of types of access being requested, see (col. 25, lines 48-67 to col. 26, lines 1-39).

With respect to claim 8, Fisher discloses, server name and an IP address, see (col. 1, lines 28-62).

With respect to claim 9, Fisher discloses, document contains the server information in viewable form for use in manually connecting to the one or more databases, see (col. 1, lines 28-62).

With respect to claim 10, Fisher discloses, providing a user interface for the administrator to enter information to create the access request, see (col. 9, lines 40-56).

With respect to claim 11, Fisher discloses, receiving an access request (access request, fig. 1-3, fig. 5-6, col. 5, lines 24-32) for one or more user (104, initiator, fig. 1, col. 4, lines 55-67) requesting access to one or more databases (310, 320, fig. 10, col. 19, lines 17-30, 106, network objects, fig. 1, that contains management information, e.g., MIB, management information base, col. 1, lines 45-67), access request is create (120, access request, fig. 2, col. 5, lines 38-67 to col. 6, lines 1-24) and submitted by an administrator (104, initiator, fig. 1, fig. 10, col. 4, lines 55-67) and the access request comprises: users list containing information regarding each user requesting access (170, access control tree, fig. 4, col. 57-67 to col. 10, lines 1-29); applications list containing information regarding respective one or more databases for which access is requested by each respective user listed in the users list (170, access control tree, fig. 4, col. 57-67 to col. 10, lines 1-29, 310, 320, fig. 10, col. 19, lines 17-30, col. 19, lines 17-64) and access type list containing information regarding respective types of access requested for each user listed in the user list, see (1502, graded permission table, operation (access) type is specified for each user, col. 25, lines 48-67 to col. 26, lines 1-39); in response to the received access request, retrieving sever information for the one or more databases, see (system of check grant rule and deny rule, after access request, fig. 5, col. 11, lines 45-67 to col. 12, lines 1-30); utilizing information provided in the access request, adding each user to a respective user group for each respective

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database for which access is requested for the respective user, see (col. 10, lines 65-67 to col. 11, lines 1-32, col. 29, lines 43-67 to col. 30, lines 1-29); generating an access document (managed objects information, fig. 16C) for each user, the access document containing the sever information (managed objects information, fig. 16C) for use in connecting to the respective one or more databases; and transmitting the respective access document to each user, see (1678, fig. 16C, col. 29, lines 32-40).

With respect to claim 13, Fisher discloses, document contains the server information in viewable form for use in manually connecting to the one or more databases, see (col. 19, lines 30-64).

With respect to claim 14, Fisher discloses, determining a user group type for the respective database when adding the one or more users to the respective database, see (col. 10, lines 65-67 to col. 11, lines 1-32, col. 29, lines 43-67 to col. 30, lines 1-29).

With respect to claim 15, Fisher discloses, verifying administration authority of a database administrator who processed the access request, see (col. 10, lines 65-67 to col. 11, lines 1-32, col. 29, lines 43-67 to col. 30, lines 1-29).

With respect to claim 16, Fisher discloses, storing access requests and user access privileges, see (col. 5, lines 38-65).

With respect to claim 17, Fisher discloses, receiving an access request (access request, fig. 1-3, fig. 5-6, col. 5, lines 24-32) for one or more user (104, initiator, fig. 1, col. 4, lines 55-67) requesting access to one or more databases (310, 320, fig. 10, col. 19, lines 17-30, 106, network objects, fig. 1, that contains management information, e.g., MIB, management information base, col. 1, lines 45-67), access request is create (120, access request, fig. 2, col. 5, lines 38-67 to col. 6, lines 1-24) and submitted by an administrator (104, initiator, fig. 1, fig. 10, col. 4, lines 55-67) and the access request comprises: users list containing information regarding each user requesting access (170, access control tree, fig. 4, col. 57-67 to col. 10, lines 1-29); applications list containing information regarding respective one or more databases for which access is requested by each respective user listed in the users list (170, access control tree, fig. 4, col. 57-67 to col. 10, lines 1-29, 310, 320, fig. 10, col. 19, lines 17-30, col. 19, lines 17-64) and access type list containing information regarding respective types of access requested for each user listed in the user list, see (1502, graded permission table, operation (access) type is specified for each user, col. 25, lines 48-67 to col. 26, lines 1-39); in response to the received access request, retrieving sever information for the one or more databases, see (system of check grant rule and deny rule, after access request, fig. 5, col. 11, lines 45-67 to col. 12, lines 1-30); utilizing information provided in the access request, adding each user to a respective user group for each respective database for which access is requested for the respective user, see (col. 10, lines 65-67 to col. 11, lines 1-32, col. 29, lines 43-67 to col. 30, lines 1-29); generating an access document (managed objects information, fig. 16C) for each user, the access document

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containing the sever information (managed objects information, fig. 16C) for use in connecting to the respective one or more databases; and transmitting the respective access document to each user, see (1678, fig. 16C, col. 29, lines 32-40).

With respect to claim 19, Fisher discloses, document contains the server information in viewable form for use in manually connecting to the one or more databases, see (col. 19, lines 30-64).

With respect to claim 20, Fisher discloses, determining a user group type for the respective database when adding the one or more users to the respective database, see (col. 10, lines 65-67 to col. 11, lines 1-32, col. 29, lines 43-67 to col. 30, lines 1-29).

With respect to claim 21, Fisher discloses, verifying administration authority of a database administrator who processed the access request, see (col. 10, lines 65-67 to col. 11, lines 1-32, col. 29, lines 43-67 to col. 30, lines 1-29).

With respect to claim 22, Fisher discloses, storing access requests and user access privileges, see (col. 5, lines 38-65).

With respect to claim 23, Fisher discloses, access request specifies a plurality of types of access being requested, see (col. 25, lines 48-67 to col. 26, lines 1-39).

With respect to claim 24, Fisher discloses, server name and an IP address, see (col. 1, lines 28-62).

With respect to claim 25, Fisher discloses, document contains the server information in viewable form for use in manually connecting to the one or more databases, see (col. 1, lines 28-62).

With respect to claim 26, Fisher discloses, providing a user interface for the administrator to enter information to create the access request, see (col. 9, lines 40-56).

Allowable Subject Matter

8. Claims 2, 12, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
June 30, 2005


JEAN M. CORRIELLUS
PRIMARY EXAMINER